

Message

From: Zimmerman, Eve [Zimmerman.Eve@epa.gov]
Sent: 8/22/2018 1:34:54 PM
To: Calli, Rosemary [Calli.Rosemary@epa.gov]
CC: Armor, Suzanne [Armor.Suzanne@epa.gov]
Subject: RE: Florida 404 Assumption
Attachments: FL Assumption 2018 Draft ConsultationOfferPoarch.docx

Good Morning,

I have included some edits and information in the attached letter.

The information for the Poarch contact is correct.

Does this invitation replace or supplement the call that you offered to the Miccosukee? I forwarded the information from Gene regarding who would be participating on call. There did not appear to be an attorney on the call.

Eve M. Zimmerman
Water Quality Standards Section
Water Protection Division
Region 4 Environmental Protection Agency
61 Forsyth Street
Atlanta, GA 30303
Phone No. 404 562 9259

From: Calli, Rosemary
Sent: Monday, August 20, 2018 5:57 PM
To: Zimmerman, Eve <Zimmerman.Eve@epa.gov>
Cc: Armor, Suzanne <Armor.Suzanne@epa.gov>
Subject: RE: Florida 404 Assumption

Hi, Eve – Anything further on the call with Mr. Duncan (e.g., who from the tribe would participate), or interest in our offers to the Poarch and Seminole?

Eve and Suzanne - I've attached a draft of the consultation letter for your review. We're aiming to have it ready to go, just fill in the specific dates, whenever we receive the assumption request from Florida.

- Would you mind reviewing and tracking any edits or recommendations?
- Is the Poarch contact info still current (Chair and Environmental Director)?
- Could you provide contact info for the Seminole and Miccosukee, as well, please?
- Embedded in the letter (held over from example letter) is use of the name "Poarch Band of Creek Indians of Alabama." Is that the correct name in this case? Is there a Florida address we should use for the Poarch?

Please don't read anything into the use of September 1st as a starting point or other specific dates – they're just placeholders.

Also, please don't share this. I wouldn't want this draft getting legs with these dates.

Thank you!
~ Rosemary

From: Zimmerman, Eve
Sent: Thursday, August 9, 2018 4:00 PM
To: Calli, Rosemary <Calli.Rosemary@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>
Subject: FW: Florida 404 Assumption

This is the email to Gene.

Eve M. Zimmerman
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From: Zimmerman, Eve
Sent: Thursday, August 9, 2018 4:00 PM
To: 'Gene Duncan' <GeneD@miccosukeetribes.com>
Subject: RE: Florida 404 Assumption

Good Afternoon,

Sorry for the delay.

I talked with the 404 staff about your questions. They suggested having a conference call to discuss your questions might be the best way to provide the information. Would you be interested in talking with the 404 staff?

Meanwhile, an overview of how state or tribal assumption of a CWA section 404 program works is available at this EPA website:
<https://www.epa.gov/cwa-404/state-or-tribal-assumption-section-404-permit-program>

If you would like to talk with them, please let me know.

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From: Gene Duncan [<mailto:GeneD@miccosukeetribes.com>]
Sent: Monday, August 6, 2018 1:35 PM
To: Riley, James M (jim) CIV USARMY CESAJ (US) <James.M.Riley@usace.army.mil>; Zimmerman, Eve <Zimmerman.Eve@epa.gov>
Cc: Jeanine Bennett <JeanineB@miccosukeetribes.com>
Subject: Florida 404 Assumption

Jim, Tori and EVE:

We've been trying to do a comparison of Florida's proposed 404 Permit Assumption and the COE 404 Permit Program (as authorized by EPA). We already know that there are differences in how jurisdictional wetlands are determined. We know that the obligate wetland plant species lists are different (FOR EXAMPLE). If the Corps or EPA has done an

analysis of Florida's proposed 404 Program, we sure would like to see it. If either agency has any concerns, the Tribe is interested in reading what those concerns might be. Any documents you may have will be helpful. Thank you. Gene